

**Notice of Intent to Readopt**  
LSA Document #19-487

Readopts rules in anticipation of [IC 4-22-2.5-2](#), providing that an administrative rule adopted under [IC 4-22-2](#) expires January 1 of the seventh year after the year in which the rule takes effect unless the rule contains an earlier expiration date. Effective 30 days after filing with the Publisher.

**OVERVIEW:** Rules to be readopted without changes are as follows:

<a href="#">405 IAC 1-1-3.1</a>	Providing services to members enrolled under the Medicaid spend-down provision
<a href="#">405 IAC 1-1-7</a>	Nursing home rate setting; governing provisions
<a href="#">405 IAC 1-1-8</a>	Level of care criteria for long-term care facilities; governing provisions
<a href="#">405 IAC 1-1-9</a>	Nursing home admission; governing provisions
<a href="#">405 IAC 1-1-10</a>	Intermediate care for the mentally retarded; governing provisions
<a href="#">405 IAC 1-1-11</a>	Intermediate care of the mentally retarded; eligibility
<a href="#">405 IAC 1-1-12</a>	Regular access authority to Medicaid division personal information system
<a href="#">405 IAC 1-1-6</a>	Managed Care Provider Reimbursement Dispute Resolution
<a href="#">405 IAC 1-3</a>	Criteria for Level of Care in Long Term Care Facilities
<a href="#">405 IAC 1-10.5-5</a>	Health care-acquired conditions and other provider-preventable conditions
<a href="#">405 IAC 1-12-6</a>	Active providers; rate review; annual request
<a href="#">405 IAC 1-12-8</a>	Limitations or qualifications to Medicaid reimbursement; advertising; vehicle basis
<a href="#">405 IAC 1-12-10</a>	Computation of rate; allowable costs; review of cost reasonableness
<a href="#">405 IAC 1-12-11</a>	Allowable costs; services provided by parties related to provider
<a href="#">405 IAC 1-12-12</a>	Allowable costs; capital return factor
<a href="#">405 IAC 1-12-13</a>	Allowable costs; capital return factor; computation of use fee component; interest; allocation of loan to facilities and parties
<a href="#">405 IAC 1-12-14</a>	Allowable costs; capital return factor; computation of return on equity component
<a href="#">405 IAC 1-12-16</a>	Capital return factor; basis; historical cost; mandatory record keeping; valuation
<a href="#">405 IAC 1-12-17</a>	Capital return factor; basis; sale or capital lease of facility; valuation; sale or lease among family members
<a href="#">405 IAC 1-12-18</a>	Unallowable costs; cost adjustments; charity and courtesy allowances; discounts; rebates; refunds of expenses
<a href="#">405 IAC 1-12-20.5</a>	Extensive support needs residences for adults; fair rental value allowance
<a href="#">405 IAC 1-14.6-8</a>	Limitations or qualifications to Medicaid reimbursement; advertising; vehicle basis
<a href="#">405 IAC 1-14.6-13</a>	Reporting of financing arrangements; working capital; interest; allocation of loans
<a href="#">405 IAC 1-14.6-14</a>	Property; basis; historical cost; mandatory record keeping; valuation
<a href="#">405 IAC 1-14.6-15</a>	Valuation; sale or lease among family members
<a href="#">405 IAC 1-14.6-17</a>	Allowable costs; wages; costs of employment; record keeping; owner or related party compensation
<a href="#">405 IAC 1-17-3</a>	Accounting records; retention schedule; audit trail; cash basis; segregation of accounts by nature of business and by location
<a href="#">405 IAC 1-17-5</a>	New provider; initial financial report to office; criteria for establishing initial rates; supplemental report
<a href="#">405 IAC 1-17-6</a>	Active providers; rate review; annual request; additional requests; requests due to change in law
<a href="#">405 IAC 1-17-8</a>	Limitations or qualifications to Medicaid reimbursement; advertising
<a href="#">405 IAC 1-17-9</a>	Criteria limiting rate adjustment granted by office
<a href="#">405 IAC 1-17-10</a>	Computation of rate; allowable costs; review of cost reasonableness
<a href="#">405 IAC 1-17-11</a>	Allowable costs; capital reimbursement; depreciable life
<a href="#">405 IAC 1-17-12</a>	Capital reimbursement; basis; historical cost; mandatory record keeping; valuation
<a href="#">405 IAC 1-17-13</a>	Unallowable costs; cost adjustments; charity and courtesy allowances; discounts; rebates; refunds of expenses

<a href="#">405 IAC 1-17-14</a>	Allowable costs; wages; costs of employment; record keeping; owner or related party compensation
<a href="#">405 IAC 1-17-15</a>	Allowable costs; calculation of allowable owner or related party compensation; wages; salaries; fees; fringe benefits
<a href="#">405 IAC 1-17-16</a>	Allocation of costs
<a href="#">405 IAC 1-19-1</a>	Information to be disclosed
<a href="#">405 IAC 1-20-3</a>	Change of ownership types
<a href="#">405 IAC 1-20-5</a>	Record retention
<a href="#">405 IAC 1.1</a>	APPEAL PROCEDURES FOR APPLICANTS AND RECIPIENTS OF MEDICAID
<a href="#">405 IAC 2</a>	MEDICAID RECIPIENTS; ELIGIBILITY
<a href="#">405 IAC 5-2-1</a>	Applicability
<a href="#">405 IAC 5-2-7</a>	"CPT" defined
<a href="#">405 IAC 5-2-7.1</a>	"Curative care services" defined
<a href="#">405 IAC 5-2-10</a>	"EPSDT" defined
<a href="#">405 IAC 5-2-10.1</a>	"Hospice" defined
<a href="#">405 IAC 5-2-10.2</a>	"Hospice program" defined
<a href="#">405 IAC 5-2-13.1</a>	"IEP" defined
<a href="#">405 IAC 5-2-13.3</a>	"IEP transportation services" defined
<a href="#">405 IAC 5-2-26</a>	"School corporation" defined
<a href="#">405 IAC 5-3-3</a>	Prior authorization based on false information
<a href="#">405 IAC 5-8-1</a>	Reimbursement
<a href="#">405 IAC 5-9-3</a>	Office visits exceeding established parameters
<a href="#">405 IAC 5-10-2</a>	"Anesthetist" defined
<a href="#">405 IAC 5-10-4</a>	Anesthesia administered during labor/delivery
<a href="#">405 IAC 5-12-4</a>	Laboratory services
<a href="#">405 IAC 5-12-5</a>	Muscle testing services
<a href="#">405 IAC 5-12-7</a>	Durable medical equipment
<a href="#">405 IAC 5-13-4</a>	Services included in the per diem rate for large state ICFs/MR; exceptions
<a href="#">405 IAC 5-13-5</a>	Prior authorization for services rendered outside the large state ICF/MR
<a href="#">405 IAC 5-14-8</a>	Extractions
<a href="#">405 IAC 5-14-9</a>	Space maintenance
<a href="#">405 IAC 5-14-11</a>	Analgesia
<a href="#">405 IAC 5-14-12</a>	Infection control
<a href="#">405 IAC 5-14-13</a>	Emergency treatment of dental pain
<a href="#">405 IAC 5-14-14</a>	Office visits
<a href="#">405 IAC 5-14-16</a>	Periodontics; surgical
<a href="#">405 IAC 5-14-17</a>	Oral surgery
<a href="#">405 IAC 5-15-5</a>	Prior authorization
<a href="#">405 IAC 5-15-7</a>	Screening referrals
<a href="#">405 IAC 5-15-8</a>	EPSDT periodicity and screening schedule
<a href="#">405 IAC 5-16-4</a>	Rehabilitation center services; limitations
<a href="#">405 IAC 5-17-3</a>	Emergency; weekend inpatient admissions
<a href="#">405 IAC 5-18-1</a>	Clinical diagnostic laboratory services; reimbursement
<a href="#">405 IAC 5-18-2</a>	Reimbursement restrictions
<a href="#">405 IAC 5-19-10</a>	Braces and orthopedic shoes
<a href="#">405 IAC 5-20-6</a>	Emergency admissions
<a href="#">405 IAC 5-21.5-16</a>	Diagnosis; individualized integrated care plan
<a href="#">405 IAC 5-21.6-1</a>	General provisions
<a href="#">405 IAC 5-22-4</a>	Certified nurse practitioner services
<a href="#">405 IAC 5-22-5</a>	Audiology, occupational, and physical therapy and speech pathology; reimbursement
<a href="#">405 IAC 5-23-1</a>	Reimbursement limitations
<a href="#">405 IAC 5-23-6</a>	Prior authorization
<a href="#">405 IAC 5-24-10</a>	Medical and nonmedical supply items for long term care facility residents
<a href="#">405 IAC 5-24-12</a>	Risk-based managed care
<a href="#">405 IAC 5-25-3</a>	Physician's written order, plan of treatment; when required

<a href="#"><u>405 IAC 5-25-5</u></a>	Inpatient services; reimbursement limitations
<a href="#"><u>405 IAC 5-26-1</u></a>	Scope
<a href="#"><u>405 IAC 5-26-3</u></a>	Routine foot care; restrictions
<a href="#"><u>405 IAC 5-26-4</u></a>	Laboratory or x-ray services
<a href="#"><u>405 IAC 5-26-9</u></a>	Surgical procedures; reimbursement
<a href="#"><u>405 IAC 5-27</u></a>	Radiology Services
<a href="#"><u>405 IAC 5-28-2</u></a>	Medical diagnostic procedures
<a href="#"><u>405 IAC 5-28-3</u></a>	Cardiac pacemaker
<a href="#"><u>405 IAC 5-28-6</u></a>	Monitoring of pacemakers
<a href="#"><u>405 IAC 5-28-7</u></a>	Abortion
<a href="#"><u>405 IAC 5-28-11</u></a>	Hyperbaric oxygen therapy
<a href="#"><u>405 IAC 5-30-1.5</u></a>	Reimbursement rates for transportation services
<a href="#"><u>405 IAC 5-30-11</u></a>	IEP transportation services
<a href="#"><u>405 IAC 5-31-6</u></a>	Personal care items
<a href="#"><u>405 IAC 5-31-7</u></a>	Limitations on nursing services
<a href="#"><u>405 IAC 5-32</u></a>	Rehabilitation Units
<a href="#"><u>405 IAC 5-33</u></a>	Acute Care Hospital Admission
<a href="#"><u>405 IAC 5-35</u></a>	Case Management Services for Infants and Toddlers with Disabilities
<a href="#"><u>405 IAC 5-36-2</u></a>	Requirements for the provision of DSMT

Requests for any part of this readoption to be separate from this action must be made in writing within 30 days of this publication. Send written comments to the Small Business Regulatory Coordinator for this rule (see [IC 4-22-2-28.1](#)):

Chelsea Princell  
Office of General Counsel  
Indiana Family and Social Services Administration  
Indiana Government Center South  
402 West Washington Street, Room W451  
Indianapolis, IN 46204  
(317) 232-1161  
[chelsea.princell@fssa.in.gov](mailto:chelsea.princell@fssa.in.gov)

Statutory authority: [IC 12-8-6.5-5](#); [IC 12-13-5-3](#); [IC 12-15-1-10](#); [IC 12-15-1-15](#); [IC 12-15-13-6](#); [IC 12-15-21-2](#); [IC 12-15-21-3](#).

For purposes of [IC 4-22-2-28.1](#), the Small Business Ombudsman designated by [IC 5-28-17-6](#) is:

Katelyn Colclazier  
Small Business Ombudsman  
Indiana Economic Development Corporation  
One North Capitol, Suite 700  
Indianapolis, IN 46204  
(317) 431-1560  
[kcolclazier@iedc.in.gov](mailto:kcolclazier@iedc.in.gov)

Resources available to regulated entities through the small business ombudsman include the ombudsman's duties stated in [IC 5-28-17-6](#), specifically [IC 5-28-17-6\(9\)](#), investigating and attempting to resolve any matter regarding compliance by a small business with a law, rule, or policy administered by a state agency, either as a party to a proceeding or as a mediator.

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